

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

UNITED STATES OF AMERICA)
)
Plaintiff)
)
v.) Civil Action No. 7:19-cv-00354
)
)
SOUTHERN COAL CORPORATION, et al.,)
)
Defendants.)

JOINT STATUS REPORT

COMES NOW, the parties, by counsel, and hereby submit the following Status Report for the Court's consideration:

1. Pursuant to the terms of a Consent Judgment, Defendants agreed to pay \$5,130,125.47 for their civil penalties. ECF No. 45. The Court ordered Defendants to pay an initial \$212,909.44 payment by April 15, 2020, then make monthly consecutive monthly payments of \$102,442.00 by the first of each month until the debt was paid in full. *Id.*

2. Due to financial difficulties, the Defendants have been unable to make certain payments on time and have missed payments.

3. The United States moved to compel compliance and the Court entered an Order requiring the Defendants to make payments under the terms of the Consent Judgment. ECF No. 54.

4. As of the time of entry of the Court's order on the Motion to Compel, Defendants had failed to pay their February 2023, March 2023, April 2023, May 2023, and June 2023 payments.

5. Defendants paid the July 2023 payment on time and the parties have reached an agreement regarding the current past due balance.

6. Based on that agreement, Defendants shall pay the August, September, and October payments on time, and beginning in August make weekly payments of \$51,221 for a period of 10 weeks to pay the past due balance. All payments shall be made timely.

7. The Government reserves all rights under the terms of the Consent Judgment regarding enforcement of this agreement.

WHEREFORE the parties submit the following Status Report for the Court's consideration.

Respectfully Submitted,

UNITED STATES OF AMERICA

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